This agreement between the signed parties of the North Texas Municipal Water District (NTMWD), City of Richardson (COR), and Neighborhood Protection Alliance of Richardson (NPAR)/Neighborhood Leadership assumes an on-going relationship between the said parties in every aspect of the following 16 points through planning, design, construction and the operational lifespan of the Lookout Trash Transfer Station in order to ensure that best management practices and quality of life for the citizens of Richardson is upheld to the highest standards for the surrounding impacted areas.

1. Through-put

The Application will request that the TCEQ allow an annual average of 750 tons per day averaged over 365 days per year and a maximum throughput of 1,500 tons per day of waste. Within 60 days of the permit becoming final and non-appealable the permit will be modified as described below.

The throughput limits shall be:

January 1 of Year	Annual Average (365 Days)	Maximum Daily
Immediately	500 tons per day	1,125 tons
2015	550 tons per day	1,325 tons
2016	575 tons per day	1,425 tons
2017	600 tons per day	1,475 tons
2018 and beyond	625 tons per day	1,500 tons

2. Parkway Utilization

The Parkway Transfer Station was part of the NTMWD's overall Transfer Station Evaluation Study, 2002. This study recommended modifications to the NTMWD's transfer stations (Custer, Lookout, and Parkway). The NTMWD will conduct a study to develop recommendations regarding the Plano Parkway Transfer Station. The City of Richardson will ensure the NTMWD places a program priority on keeping the Plano Parkway Transfer Station operational during future site improvements to Parkway. The study to be conducted by NTMWD will include a determination of the feasibility of the Parkway Transfer Station remaining operational during future improvements. Additionally the City of Richardson will continue diverting logical routes to maximize the usage of the Plano Parkway Transfer Station.

3. Waste Diversion Initiatives

The City of Richardson commits to enhancing its recycling programs and waste diversion initiatives. City of Richardson staff will conduct a Solid Waste Program Evaluation during the 2010-2011 fiscal year, and within 180 days of completion, work with the Richardson Environmental Advisory Committee (EAC) as directed by the City Council to evaluate and recommend the possible implementation of recycling programs and waste diversion initiatives.

4. Wind-blown Litter

Every operating day, NTMWD personnel (including temporary labor) will police the facility, including fences, access roads, entrance gates, and any storm water discharge points that discharge stormwater from Improved Lookout, to pick up and return windblown material and litter to the facility and perform such other litter control measures, as necessary. On days when the facility is in operation, NTMWD will be responsible for at least once per day cleanup of waste materials spilled along and within the right-of-way of public access roads used for the delivery of waste to the facility for a distance of two (2) miles in either direction from the entrance of the facility. On days when the facility is in operation, the City of Richardson will monitor wind-blown litter between the facility and Spring Creek (top of creek bank), in Lookout Park and within the right-of-way of public access roads serving the facility for a distance of two (2) miles in either direction from the entrance used for the delivery of waste to Lookout and Improved Lookout, and will notify NTMWD when conditions warrant clean-up efforts. The City of Richardson will be responsible for cleanup of litter in Spring Creek after significant rain events.

5. Re-route Trash Truck Traffic

In an effort to minimize vehicular noise and promote safety (solid waste vehicle lane usage), the City of Richardson will address with its Solid Waste drivers a higher level of awareness and sensitivity when entering/exiting the Lookout Dr. Transfer Station. Additionally this topic will be discussed among the NTMWD Solid Waste Member Steering Committee in an effort to expand a higher level of awareness and sensitivity among all Solid Waste Member Cities as they utilize the Lookout Dr. Transfer Station.

6. Walking/Bike Trail

The City of Richardson commits to maintaining, planning, designing, and constructing its trails, nature preserves, and parks in accordance with the City's Parks Department's Master Plan. Included in the Parks Department's Master Plan is a future trail along Lookout Drive between Plano Rd. and Lookout Park. Additionally a potential trail along Spring Creek, north of the Lookout Transfer Station connecting with Foxboro Park, will be studied and evaluated. Trail development will take into account and accept input from nearby neighborhoods as well as ensuring any desired Lookout Dr. crossing is made at the signalized Plano Rd. intersection.

7. Oversight Committee

The City will designate an ombudsman (Assistant Director of Public Services) for all Lookout Transfer Station related issues and inquiries. The ombudsman or the ombudsman's representative will attend meetings with NTMWD and/or NPAR/neighborhood leadership when requested by either NTMWD or NPAR/neighborhood leadership during the current operation of the Lookout Dr. Transfer Station, and throughout the design, permitting, construction, and operation of Improved Lookout. Design documents at the 30% 60% and 90% completion stages will be provided to the NPAR/neighborhood leadership. Staff will develop a "communication plan" to inform on construction related events (noise, detour routes, etc...). NPAR/neighborhood leadership attendees will be comprised of designated individuals as determined by the NPAR/neighborhood leadership. Unresolved issues will be forwarded to the City Manager for further review, evaluation, and appropriate action.

Additionally, within 30 days of MOU execution, the City of Richardson will include the Lookout Dr. Transfer Station on the City's call center (972-744-4111). Once notified by the NTMWD, the City of Richardson will within 10 business days notify the NPAR/neighborhood leadership in writing of any proposed operation/permit change.

Lastly, on a monthly basis the City of Richardson will provide the NPAR/neighborhood leadership the latest NTMWD Regional Solid Waste System Monthly Report and the NTMWD Daily Weight Ticket file for Richardson within 10 business days of receipt from the NTMWD.

8. 23-acre Property

The appraised value of the 23-acre property (southeast corner of Lookout Dr & Plano Rd.) is 4.8 million dollars and is zoned Industrial. City will be mindful of land development sensitivities and work toward a final development that is in the best interest of the City of Richardson, NPAR/neighborhood leadership, and the property owner. "Best interests" is defined through the collaborative dialog among all the affected parties with the final determination as to the future zoning/development of the 23-acre property resting with the decision of the City Council.

9. Storm Water BMP

When required the NTMWD will obtain authorization under the Texas Pollution Discharge Elimination System ("TPDES") prior to commencing construction and operations at the Improved Lookout. Examples of stormwater management practices during construction include: sediment control practices used to divert flows away from exposed soils, to limit the contact of runoff with disturbed areas, or to lessen the offsite transport of eroded soils. Examples of erosion controls include hay bales, silt fences, swales, mulch filter berms, rock berms, and vegetative filter strips. City staff will monitor water quality at Spring

Creek monthly during improved Lookout construction and every six months thereafter. The City will engage with appropriate consultant(s) (3rd party review) regarding independent analysis of water quality and erosion control during the design/prior to the building permit approval and subsequent phases as applicable for the new Lookout Dr. Transfer Station The City will share all final reports* with the NPAR/neighborhood leadership providing ten (10) calendar days for their review and comment.

*final reports are defined as all reports and information given to COR/NTMWD by the third party consulting firm *before* any final decision/action is made.

10. Lookout Drive Repairs

With the 2010 Bond Election passing Lookout Drive will be reconstructed in accordance to the City of Richardson's standards and specifications accommodating the necessary traffic types and volumes without any additional design requirements for servicing the Lookout Dr. Transfer Station or the adjacent properties.

11. Odor Control

The NTMWD will not accumulate solid waste in quantities that cannot be processed within such time as will preclude the creation of odors, insect breeding, or harborage of other vectors. NTMWD will not store waste in the Improved Lookout building overnight except for extenuating emergency circumstances such as weather or mechanical break down. NTMWD will wash the Improved Lookout building floors at least twice per week, and more often if required by site conditions. Wash waters will not be allowed to accumulate on-site without proper treatment to prevent the creation of odors or the attraction of vectors. Floor washing areas are required to be discharged into the sanitary sewer system. Improved Lookout will be designed and operated to provide ventilation for odor control and employee safety. If NTMWD becomes aware of or receives complaints regarding nuisance odors outside the facility permit boundaries, NTMWD will cause an investigation to be conducted, with follow-up contact with the complainant. The NTMWD will install an odor neutralizer system inside the Improved Lookout building for odor control. The City will engage with appropriate consultant(s) (3rd party review) regarding independent analysis of odor control during the design/prior to the building permit approval and subsequent phases as applicable for the Improved Lookout. The City will share all final reports with the NPAR/neighborhood leadership providing ten (10) calendar days for their review and comment.

12. Pest Control

The City will engage with appropriate consultant(s) (3rd party review) regarding independent analysis of pest control during the design/prior to the building permit approval and subsequent phases as applicable for the new Lookout Dr. Transfer Station. The City will share all final reports with the NPAR/neighborhood leadership providing ten (10) calendar days for their review and comment.

13. Garbage Storage & Floor Washing

NTMWD will not store waste in the Improved Lookout building overnight except for extenuating emergency circumstances such as weather or mechanical break down. NTMWD will wash the Improved Lookout building floors at least twice per week, and more often if required by site conditions. Floor washing areas are required to be discharged into the sanitary sewer system.

14. Sound Wall

The NTMWD will provide a wall or walls in the vicinity of the northwest side of the permitted area to absorb, dampen and/or deflect sound from the operation. Additionally, the NTMWD will work with the City and its third party consultant to determine the need for wall(s) in the vicinity of the remaining sides (i.e., all but northwest) of the permitted area to absorb, dampen and/or deflect sound from the operation. City will pay for the costs associated with evaluation, design and construction of any additional walls beyond the northwest wall.

As part of the design and development of the COR property, the City of Richardson will construct a vegetative screening/sound buffer along the southern property line better screening Lookout Park. The City will engage with appropriate consultant(s) (3rd party review) regarding independent analysis of noise control during the design/prior to the building permit approval and subsequent phases as applicable for the new Lookout Dr. Transfer Station. The City will share all final reports with the NPAR/neighborhood leadership providing ten (10) calendar days for their review and comment.

The City will arrange for the NPAR/neighborhood leadership to meet with the City's third party consultant to understand the noise abatement needs due to noise emitting from the current and new facility, and understand how this will be evaluated. Back up alarms will not be excluded from the 3rd party's noise evaluation.

Should there be noise nuisances following the construction of Improved Lookout that do not comply with the City's standards (specifically Article XXII-B Performance Standards, Section B, Table 3 of City's Comprehensive Zoning Ordinance) then the City of Richardson will engage with the NTMWD to determine an appropriate plan of action. Vehicle back-up alarms will not be excluded from any noise evaluation.

15. Vegetation

NTMWD will landscape Improved Lookout in accordance with the Landscape Plan granted administrative approval by the City of Richardson on March 17, 2009. The City will work with NPAR/neighborhood leadership to determine need for vegetative screening/sound buffer in the remaining areas as suggested by NPAR/Neighborhood Leadership (i.e. southern property line – fill gap south of Transfer Station along existing

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bike trail). Additionally the City will evaluate the four locations (listed below) as part of, but not limited to, the "Tree the Town" initiative.

- Add to north side of Spring Creek in the Owens Boulevard right-of-way
- Extend between Transfer Station and Owens Farm
- Extend between Lookout Park parking lot and 23-acre vacant lot
- Fill gap north of 1600 block of Woodoak Drive

16. Vehicle Back up Alarms

"White-noise" back up alarms have been installed on all NTMWD on-site equipment at the Lookout Dr. Transfer Station. Back-up alarms on all equipment the City sends over public roadways meet the requirements established by the Occupational Safety and Health Administration ("OSHA") or other applicable laws or regulations. Within 12 months of MoU execution, the City of Richardson will install dual systems (A/B switch) for over the public road and off road utilization, enabling and requiring "white-noise" back up alarms to be utilized while on the LOTS premises. Within 18 months of MOU execution, the NTMWD will request that other member cities and their private haulers evaluate "white-noise" back-up alarms for possible installation on vehicles that utilize the Improved Lookout.

For the City of Richardson	For the NTMWD
City of Richardson Mayor, Gary Slagel	Executive Director, James M. Parks
Date	Date
City Manager, Bill Keffler	
Date	
For the Owens Park HOA	For the Foxboro/Sherrill Park North HOA
Owens Park HOA President, John Wallberg	Foxboro/Sherrill Park North HOA President, George Human
Date	
For the Braeburn HOA	For the Duck Creek HOA
Braeburn HOA President, Bob Hendrix	Duck Creek HOA President
Date	Date
For the University Estates North Homeowners Association	For the Neighborhood Protection Alliance of Richardson
President	Maitri Smithhisler
Date	

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For the Texas Campaign for the Environment	For the Fairways of Sherrill Park Homeowner Association
Jeffrey Jacoby, North Texas Staff Director	President
Date	Date